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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 UNITED STATES OF AMERICA,

No. 2:99-cr-0433 WBS AC

12 Respondent,

13 v.

ORDER

14 HOANG AI LE,

15 Movant.  
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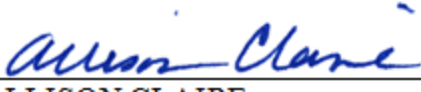
17 Movant, a federal prisoner, has filed a motion for leave to submit a supplemental pro se  
18 brief in support of his motion to correct the sentence. ECF No. 1798. Movant is represented by  
19 counsel for purposes of pending proceedings under 28 U.S.C. § 2255. As the court has  
20 previously explained (see, e.g., ECF Nos. 1741, 1750, 1797), a criminal defendant who is  
21 represented by counsel does not have the right to simultaneously litigate in pro se. See United  
22 States v. Bergman, 813 F.2d 1027, 1030 (9th Cir. 1987); United States v. Olano, 62 F.3d 1180,  
23 1193 (9th Cir. 1995). “Whether to allow hybrid representation, where the accused assumes some  
24 of the lawyer’s functions, is within the sound discretion of the judge.” United States v. Williams,  
25 791 F.2d 1383, 1389 (9th Cir. 1986) (citation omitted). Both the district judge and the  
26 undersigned magistrate judge have previously declined to permit hybrid representation in this  
27 case. ECF Nos. 1741, 1750, 1797. That decision will not be revisited.

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1           Accordingly, the motion for submission of a supplemental pro se brief, ECF No. 1798, is  
2 hereby DENIED.

3           IT IS SO ORDERED.

4 DATED: April 4, 2019

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6 ALLISON CLAIRE  
7 UNITED STATES MAGISTRATE JUDGE  
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